

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTOINETTE COLON,

Plaintiff,

v.

EDUCATIONAL COMMISSION FOR
FOREIGN MEDICAL GRADUATES,

Defendant.

Civil Action No. 2:19-cv-01738-JD

ROBERT VOORHEES,

Plaintiff,

v.

EDUCATIONAL COMMISSION FOR
FOREIGN MEDICAL GRADUATES,

Defendant.

Civil Action No. 2:19-cv-01761-JD

[PROPOSED] JOINT SCHEDULING ORDER

Counsel for Plaintiff Antoinette Colon (“Ms. Colon”) and Plaintiff Robert Voorhees (“Mr. Voorhees”) and counsel for Defendant Educational Commission for Foreign Medical Graduates (“ECFMG”) submit to Chambers the following proposed joint scheduling order in accordance with this Court’s December 18, 2019 Order (*Colon v. ECFMG*, Dkt. No. 12) and December 19, 2019 Order (*Voorhees v. ECFMG*, Dkt. No. 20).

1. Colon v. ECFMG

Discovery and dispositive motion practice will proceed according to the following deadlines:

- a. **Deadline for Fact Discovery** – May 29, 2020
 - i. Deadline for Filing Motions to Compel: April 30, 2020
- b. **Deadline for Expert Discovery** – July 31, 2020
 - i. Deadline for Identification of Expert Witnesses and Exchange of Expert Reports: May 29, 2020
 - ii. Deadline for Exchange of Rebuttal Reports: June 26, 2020
 - iii. Deadline for Completion of Expert Depositions: July 31, 2020
- c. **Deadline for Filing of Daubert Motions** – August 31, 2020
- d. **Deadlines for Filing Dispositive Motions** – August 31, 2020
 - i. Any Opposition to a Motion for Summary Judgment shall be filed within thirty (30) days of being served with the Motion for Summary Judgment.
 - ii. Any Reply in Further Support of a Motion for Summary Judgment shall be filed within fourteen (14) days of being served with the Opposition to the Motion for Summary Judgment.
- e. **Trial Scheduling** – The Parties do not request a date certain for trial. The Parties propose that trial be scheduled to commence sixty (60) days after the disposition of any motion for summary judgment or thereafter. The Parties expect trial to last two (2) or three (3) days.

2. **Voorhees v. ECFMG**

The evidentiary hearing on ECFMG's Motion to Dismiss will be rescheduled for a date on which the Court and the parties are available. Depending on what claims (if any) remain after

the disposition of the Motion to Dismiss, discovery and dispositive motion practice will proceed according to the following deadlines:

- a. **Deadline for Fact Discovery** – Four (4) months after the disposition of ECFMG’s Motion to Dismiss
 - i. **Deadline for Filing Motions to Compel**: Two (2) weeks before the close of fact discovery
- b. **Deadline for Expert Discovery** – Two (2) months after the close of fact discovery
 - i. **Deadline for Identification of Expert Witnesses and Exchange of Expert Reports**: On the same date as the deadline for fact discovery
 - ii. **Deadline for Exchange of Rebuttal Reports**: One (1) month after the deadline for the initial identification of expert witnesses and exchange of initial expert reports
 - iii. **Deadline for Completion of Expert Depositions**: One (1) month after the deadline for the exchange of rebuttal expert reports
- c. **Deadline for Filing of Daubert Motions** – One (1) month after the close of expert discovery
- d. **Deadlines for Filing Dispositive Motions** – One (1) month after the close of expert discovery
 - i. Any Opposition to a Motion for Summary Judgment shall be filed within thirty (30) days of being served with the Motion for Summary Judgment.

ii. Any Reply in Further Support of a Motion for Summary Judgment shall be filed within fourteen (14) days of being served with the Opposition to the Motion for Summary Judgment.

e. **Trial Scheduling** – The Parties do not request a date certain for trial. The Parties propose that trial be scheduled to commence sixty (60) days after the disposition of any motion for summary judgment or thereafter. The Parties expect trial to last two (2) or three (3) days.

Respectfully submitted,

/s/ Jamie L. Ford

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Dated: December 30, 2019

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Dated: December 30, 2019

BY THE COURT:

DUBOIS, JAN E., J.